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Let's Live asks Rep. Henry Waxman and Senator Orin Hatch 8 Tough Questions

1. What do you think is the most important health-related goal that has been accomplished since you have chaired the health subcommittee?

Waxman: There is not one thing I can cite as the most important health-related goal that I have accomplished but there are many I am proud of: extending medicaid to women below poverty, enacting the orphan drug bill, making generic drugs more widely available with the drug patent reform bill, stopping the worst of the administration attacks on medicare and medicaid, focusing attention on the AIDS problem and helping to get more research into this deadly disease and keeping the clean air act from being weakened.

2. There has been a push the last few years to classify vitamin supplements as over-the-counter (OTC) drugs or otherwise restrict and control their availability. Will congress continue to pursue this end and what do you think will be the outcome?

Waxman: I don't see any action in the immediate future. I know the FDA has been concerned about mis-use of vitamin supplements and we will continue to watch their activity, but I don't think at this point any legislative action is needed. That is, as long as a vitamin is not sold as a drug. If it is not sold for therapeutic purposes it is considered a food and should be treated as such.

3. The attempts to more strongly regulate vitamin sales along with Congressman Claude Pepper's 'anti-quack' bill last year have left many people concerned over what appears to be an effort to curtail the availability of non-traditional healing arts. Do you believe that non-traditional health alternatives (like homeopathy, acupuncture and vitamin therapy) can complement traditional medical practice and is there a way that future legislation can accommodate diverse methods of medical treatment?

Waxman: I think we want to encourage increasing choice and competition among the different types of quality medical care providers. I have encouraged the use, for example, of more nurse midwives. I think we have to be sure the health alternatives we pay for under medicare and medicaid are effective and safe.

Let's Live: Isn't insurance itself a problem for alternative health practitioners?

Waxman: I am very concerned about the whole insurance problem. We are considering a risk-retention act that would allow nurse-midwives to form their own insurance pool. [Presently, nurse-midwives cannot get insurance anywhere.] We are also considering a tort reform law for all health-care providers. [A tort is legal action for money damages from personal injury. The astronomical number of torts and the resulting large monetary settlements have driven malpractice insurance to the point where it is not affordable and in some cases, not available to health care providers.]

4. A government report published by the Council on Environmental Quality along with other reports has indicated that we are losing farm land at an alarming rate due to soil erosion from poor farming techniques and the use of inorganic fertilizers and pesticides.

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Recently, the sole organic farming expert at the Dept. of Agriculture was fired leaving the department without any expertise concerning a farming technique which has been found to be beneficial in preventing soil erosion and in addition, rebuilds the soil. Are there any serious plans to study organic farming and why is organic farming not encouraged more?

Waxman: I just want to say that the Dept. of Agriculture is part of the Agriculture Committee and is out of our area. I am, however, involved in legislation that is shared with the agriculture committee concerning the control of pesticides and I think we should do all we can to encourage organic farming.

5. According to a recent article in the Washington Post\*, only 19 of the 600 active ingredients found in pesticides, household disinfectants and similar products have been fully tested and approved by the EPA. Several pieces of legislation over the last 15 years have directed a complete review of all these chemicals, yet it has not happened. Are we to assume that chemical and pesticide companies are causing the delays? If not, why are we allowing untested poisons on the market and when will they be more strongly controlled?

Waxman: I am very aware and concerned that the EPA has clearly not been doing its job in this area. I don't think it is far to say chemical and pesticide companies are causing delays but I do think we should change the laws so everyone has incentive to change. A revision of the pesticide act known as FIFRA will be considered in the house shortly. It sets deadlines for completion of tests for pesticide safety. As a ~~sideline~~, we are trying to make sure the states can adapt even stronger requirements to protect the public from pesticide residues on their food items.

Let's Live: Past laws and deadlines have been ignored, what are you planning to do differently?

Waxman: We need to force the EPA to do its job with mandates and strict deadlines.

6. This question is again concerning pesticides. Several pesticides and chemicals used to grow our food including Alar (a growth regulator) and EDB (a potent pesticide) are known to be highly carcinogenic and hazardous to human health yet their wide-spread use continues. Why is this and when will this be stopped?

Waxman: I am concerned about the inadequate study of pesticide residue. We are especially concerned about Alar and EDB. I am fighting against an attempt by some interests that are trying to stop the state from regulating pesticide residue on food. ~~As it is now, only the federal government can act and the states cannot require stronger legislation.~~ This issue is coming up this month (September). Our committee has jurisdiction over food and what is on it. The Agriculture committee controls pesticides on the farms, and they are pushing the EPA to tighten up its regulation.

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*of pesticides with this revised FIFRA bill.*

*(we are both)*

*under these approach*

7. You have recently introduced a bill that would restrict monetary awards in lawsuits against manufacturers of the DPT vaccine by parents whose infants have been damaged by the vaccine. If this bill passes, what would be the incentive to vaccine manufacturers to improve the vaccine (particularly the pertusis portion which is generally the vaccine that causes problems)? For parents concerned about giving their children the pertusis vaccination in particular, what do you recommend and are there alternatives for parents concerned about the safety of vaccines?

Waxman: The first thing I would point out is that all the public health experts tell us that they [vaccines] are important for children and are by and large safe and effective in preventing serious disease. There are, unfortunately, bad reactions in some cases. We need to compensate the family of these children that are injured in a fair way.

Our legislation provides several incentives to improve on pertusis and other vaccines as well, and we want to encourage manufacturers to make new vaccines. ~~We reserve the right of individuals to go to court and sue if the manufacturer of the vaccine acted improperly in not improving on that product. We do not limit the liability if the manufacturers do not improve the vaccine but~~ The bill sets up a compensation system to get an award if there are damages without going to court. ~~But we~~

[In addition], we set up for the first time the reporting of adverse reactions from DPT to the Dept. of Health and Human Services so we can learn about the problems and correct them.

8. Finally, as chairman of the subcommittee on health, what do you hope to accomplish before your term concludes?

Waxman: There are a lot of things to do in the health and environment area but my term will conclude in 4 weeks and I have to be re-elected so I will be here. (Laughs)

[I would like to] extend more benefits to poor people. No one should go without health care simply because they are poor. I would like to see more money available for AIDS research. There is also legislation we hope will provide great opportunity for people to get prescriptions at lower costs when needed.

There is much to do, and I look forward to continuing to work on these issues.  
to work on my agenda.